

U.S. Patent Application No. 09/623,780
Reply to Office Action dated September 7, 2005

PATENT
450101-02221

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 7, 9-12, and 14-16 are currently pending. Claims 1-6, 8, 13, 17 and 18 have been canceled without prejudice or disclaimer of subject matter. Claims 7 and 12, which are independent, are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 15-18. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 7, 9-11, 12 and 14-16 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,970,386 to Williams, Jim C. (hereinafter, merely "Williams") in view of ETR 211: Digital Video Broadcasting: Guidelines on Implementation and Usage of Service Information (hereinafter, merely "ETR") and in further view of U.S. Patent No. 5,917,830 to Chen et al. (hereinafter, merely "Chen").

Claim 7 recites, *inter alia*:

"An information transmission apparatus...

00318839

U.S. Patent Application No. 09/623,780
Reply to Office Action dated September 7, 2005

PATENT
450101-02221

wherein service identifiers of network information that are not retransmitted are deleted and placeholder data for the deleted service identifiers is added,

wherein a plurality of service list descriptors are appended to identifiers which are used to identify a new or previous transmission." (emphasis added)

As understood by Applicants, Williams relates to a system for redistributing a broadband audio-visual-data signal to a multiplicity of receiver units within a multiple dwelling unit. A main receiving antenna receives a broadband video/audio/data signal having a number of individual program multiplex signals therein and a transmodulator device that transmodulates the individual program multiplex signals associated with the broadband signal. The transmodulated signals are broadcast over a network to individual receiver units which demodulate the transmodulated signals.

As understood by Applicants, ETR relates to implementation guidelines for the use and implementation of the DVB (Digital Video Broadcasting) Service Information (SI) coding in a DVB digital TV environment including satellite, cable and terrestrial networks. A Network Information Table (NIT) provides a grouping of Transport Streams (TS) and the relevant tuning information. Stuffing Tables may be used to replace or invalidate either sub-tables or complete SI tables. All sections of a sub-table shall be stuffed and it is not allowed to replace some sections of a sub-table by stuffing some sections while keeping others.

As understood by Applicants, Chen relates to the insertion of digital video messages such as commercials into a preexisting compressed packetized data stream. Data packets of commercial messages are spliced into a pre-existing data stream without decompressing the data in the data stream and while maintaining compliance with digital data communication protocols. A method and apparatus are presented for splicing a secondary packetized data stream with a primary packetized data stream. When a start signal is received, a

00318839

U.S. Patent Application No. 09/623,780
Reply to Office Action dated September 7, 2005

PATENT
450101-02221

pre-splicing packet of the primary stream is determined. In order to prevent discontinuity at the decoder, the pre-splicing packet is processed to discard frame data and to insert a number stuffing bytes into the pre-splicing packet.

Applicants submit that Williams, ETR and Chen, taken alone or in combination, fail to teach or suggest the above features of claim 7. Specifically, Applicants respectfully submit that there is no teaching or suggestion of a plurality of service list descriptors to be appended to the service identifiers which are used to identify a new transmission or a previous transmission, as recited in claim 7.

Therefore, Applicants submit that independent claim 7 is patentable.

For reasons similar to those described above with regard to independent claim 7, amended independent claim 12 is also believed to be patentable.

Therefore, independent claims 7 and 12 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

00318839

BEST AVAILABLE COPY

11/11/2005 15:59 FAX 12125880500

FROMMER LAWRENCE & HAUG

013

U.S. Patent Application No. 09/623,780
Reply to Office Action dated September 7, 2005

PATENT
450101-02221

Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320

In view of the foregoing amendments and remarks, it is believed that all of the
claims in this application are patentable and Applicants respectfully request early passage to
issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants



Thomas F. Presson
Reg. No. 41,442
(212) 588-0800

00318839